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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On 11/8/06

TOWNSEND and TOWNSEND and CREW LLP

By: 

PATENT  
Attorney Docket No.: 017380-000313US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Kenneth T. RICHARDSON and  
Don C. PEARSON

Application No.: 10/627,439

Filed: July 25, 2003

For: UNIT DOSAGE FORMS FOR  
THE TREATMENT OF HERPES  
SIMPLEX

Customer No.: 20350

Confirmation No. 5370

Examiner: Marschel, Ardin H.

Technology Center/Art Unit: 1614

**ELECTION**

Mail Stop Amendment  
Commissioner for Patents  
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Sir:

In response to the Restriction/Election Requirement mailed October 11, 2006, Applicants hereby elect Claim 29, but urge the examiner to include claim 30, since of the eight ingredients listed in each of the two claims, six of the eight are identical between the two claims. Only two of the eight ingredients in each claim differ. Therefore, it is reasonable and presents no increased search burden to the examiner to include both claims 29 and 30 in the examination. This election is made with traverse for this reason.

Richardson et al., Application No. 10/627,439, filed July 25, 2003  
Examiner: Marschel, A.H.; Art Unit 1614  
Election: Reply to Restriction Requirement of October 11, 2006

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PATENT

Applicants look forward to receiving the examination results at an early date.

Respectfully submitted,



M. Henry Heines  
Reg. No. 28,219

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